



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
**COCOA REGULATORY FIELD OFFICE**  
**400 HIGH POINT DRIVE, SUITE 600**  
**COCOA, FLORIDA 32926**

**May 7, 2007**

Regulatory Division  
Special Projects and Enforcement Branch  
SAJ-2007-1784 (NW-AWP)

Florida Department of Transportation - District 3  
Attn: Joy Giddens  
P.O. Box 607  
Chipley, Florida 32428

Dear Mrs. Giddens:

Your application for a Department of the Army permit received on March 9, 2007, has been assigned number SAJ-2007-1784 (NW-AWP). A review of the information and drawings provided shows the proposed work is the milling, resurfacing and lining existing drainage pipes and replacing failed pipes, as well as extension to cross-drains and the addition of pipe end treatments and structures within the State Road (SR) 30 roadway. Impacts to waters of the United States will include 0.066 acre of excavation and 0.104 acre of fill for a total impact of 0.17 acre. The project is located on SR 30 (US 98) immediately east of the Carrabelle River Bridge and proceeds east terminating immediately east of SR 319, in Sections 33 and 34, Township 6 South, Range 3 West, Sections 12, 14, 21 and 22, Township 7 South, Range 3 West, Franklin County, Florida.

The Supreme Court handed down a decision on June 19, 2006, in the Rapanos and Carabell cases. That decision addresses the scope of Clean Water Act jurisdiction over certain waters of the United States, including wetlands. We anticipate that the decision will lead the Corps and the U.S. Environmental Protection Agency to make some changes in our scope of jurisdiction.

Your project includes activities, which are regulated under the current interpretation of Federal jurisdiction under Section 404 of the Clean Water Act. Your project includes special conditions that require compensatory mitigation for impacts to areas of Federal jurisdiction. Any changes to our scope of jurisdiction could require reassessment of these mitigation requirements and/or other project modification. You will have

an opportunity to re-address the terms or conditions of this authorization following issuance of the anticipated EPA/Army substantive Rapanos/Carabell guidance, if such guidance affects Federal jurisdiction on your permit site.

Your project, as depicted on the received drawings, is authorized by Nationwide Permit (NWP) Number 14. In addition, project specific conditions have been enclosed. This verification is valid until May 7, 2009. Please access the U.S. Army Corps of Engineers' Jacksonville District's Regulatory web address at

<http://www.saj.usace.army.mil/permit/permitting/nwp.htm> to access web links to view the Final Nationwide Permits, Federal Register Vol. 72, dated March 12, 2007, and the List of Regional Conditions. These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP 14. Additionally, enclosed is a list of the six General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

1. Within 60 days of completion of the work authorized, the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Regulatory Division, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019.

2. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove,

relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. In Florida, projects qualifying for this NWP must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under §. 373.069, F.S., or a local government with delegated authority under §. 373.441, F.S., and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) (or a waiver), as well as any authorizations required by the State for the use of sovereignty submerged lands. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

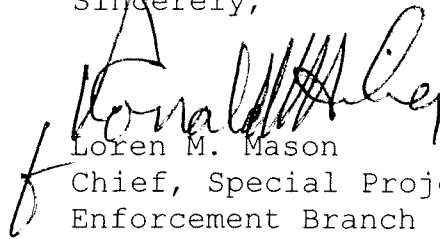
This letter does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please contact Andrew Phillips by telephone at 321-504-3771 extension 14.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey:

[http://www.saj.usace.army.mil/permit/forms/customer\\_service.htm](http://www.saj.usace.army.mil/permit/forms/customer_service.htm).  
Your input is appreciated - favorable or otherwise.

Sincerely,

A handwritten signature in black ink, appearing to read "Loren M. Mason". The signature is stylized with a large initial "L" and "M".

Loren M. Mason  
Chief, Special Projects and  
Enforcement Branch

Enclosures

bcc:  
CESAJ-RD-PE

GENERAL CONDITIONS  
33 CFR PART 320-330  
PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on date identified in the letter. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: NW-14  
Application Number: SAJ-2007-1784

Permittee's Name & Address (please print or type): \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Location of the Work: \_\_\_\_\_

\_\_\_\_\_

Date Work Started: \_\_\_\_\_ Date Work Completed: \_\_\_\_\_

Description of the Work (e.g., bank stabilization, residential or commercial filling, docks, dredging, etc.): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Acreage or Square Feet of Impacts to Waters of the United States: \_\_\_\_\_

Describe Mitigation completed (if applicable): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe any Deviations from Permit (attach drawing(s) depicting the deviations): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2007-1784

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

\_\_\_\_\_  
(TRANSFeree-SIGNATURE)

\_\_\_\_\_  
(SUBDIVISION)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(LOT)

\_\_\_\_\_  
(BLOCK)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_  
(STREET ADDRESS)

\_\_\_\_\_  
(MAILING ADDRESS)

\_\_\_\_\_  
(CITY, STATE, ZIP CODE)

STATEMENT OF FINDINGS/ENVIRONMENTAL ASSESSMENT/FINDING OF NO  
SIGNIFICANT IMPACT

SUBJECT: SAJ-2007-1784 (NW-AWP)

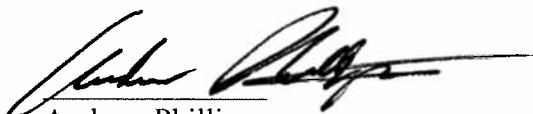
1. Name and address of applicant: Florida Department of Transportation - District 3  
Attn: Joy Giddens  
P.O. Box 607  
Chipley, Florida 32428
2. Project description: A review of the information and drawings provided shows the proposed work is the milling, resurfacing and lining existing drainage pipes and replacing failed pipes, as well as extension to cross-drains and the addition of pipe end treatments and structures within the State Road (SR) 30 roadway. Impacts to waters of the United States will include 0.066 acre of excavation and 0.104 acre of fill for a total impact of 0.17 acre.
3. Project location: The project is located on SR 30 (US 98) immediately east of the Carrabelle River Bridge and proceeds east terminating immediately east of SR 319, in Sections 33 and 34, Township 6 South, Range 3 West, Sections 12,14,21 and 22, Township 7 South, Range 3 West, Franklin County, Florida.
4. This activity meets the terms and conditions for authorization under Nationwide Permit 14, as published in the March 12, 2007, issue of the Federal Register (72 FR 11092). This activity, if conducted in accordance with the terms and conditions of the nationwide permit (NWP) and the special conditions stated in the NWP verification letter, will result in minimal individual and cumulative adverse effects on the environment and will not be contrary to the public interest.
5. For each of the reissued and new NWPs, the Corps of Engineers issued a decision document that contains an Environmental Assessment, Statement of Findings, public interest review, and as appropriate, a Section 404(b)(1) Guidelines analysis. The Office of the Chief of Engineers has determined that division and district engineers will impose, as necessary, additional conditions on the NWP authorization or exercise discretionary authority to address locally important factors relating to the public interest, including any potential adverse effects on the human environment, and to ensure that the authorized activity results in no more than minimal individual and cumulative adverse effects on the environment. Supplemental documentation is being prepared for the division engineer, to address the individual and cumulative effects of the NWP(s) on local resources. Until that supplemental documentation is issued by the division engineer, the terms and conditions of the reissued and new NWPs, and the case-specific review conducted in response to a pre-construction notification and/or any other NWP verification request, will ensure that the NWPs will authorize only activities with no more than minimal individual and cumulative adverse effects on the environment.
6. The following is a brief summary of the potential adverse effects of the proposed activity on the environment: No adverse impacts are anticipated. The proposed activity will reduce sedimentation into waters of the US.
7. The following measures are being required by this permit authorization, and/or are being assured and provided voluntarily by the permit applicant, to ensure that the activity being authorized by the Corps will have no more than minimal adverse effects on the environment:



The applicant will follow Best Management Practices during installation to reduce any potential water quality impacts.

8. Finding of No Significant Impact. Based on the information in the administrative record for this NWP-authorized activity, I have determined that the authorized activity will not have a significant adverse effect on the quality of the human environment. Therefore, the preparation of an Environmental Impact Statement is not required for this authorized activity.

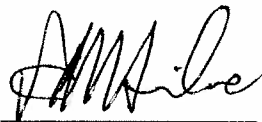
PREPARED BY:



Andrew Phillips  
Project Manager

Date: 5/7/07

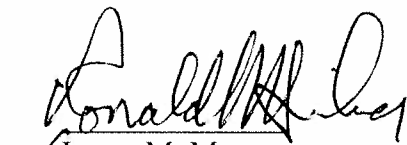
REVIEWED BY:



Ronald H. Silver, C.E.P.  
Regulatory Program Manager

Date: MAY 07 2007

APPROVED BY:



Loren M. Mason  
Chief, Special Projects  
and Enforcement Branch

Date: MAY 07 2007